

# Memorandum

**To:** Town Board of the Town of North Hempstead

**From:** Nonpartisan Temporary Redistricting Commission

**Date:** May 30, 2022

**Re:** Report Recommending Amendments to the Existing Ward District Map, Pursuant to 2020 Census Data and Town Code § 15A-1.

## Background

### *Relevant Laws and Legislative Mandate*

Pursuant to Federal and State law and the Town Code, the Town of North Hempstead participate in a councilmanic redistricting process based on the results of the U.S. Census Bureau's Decennial Census data. Chapter 15A of the Town Code directs the Town to revise the boundaries of the existing council districts where the federal census indicates the districts do not contain a substantially equal number of inhabitants. It further requires that each district be "substantially equal with wards composed of convenient and contiguous territory in as compact form as practicable".

Chapter 15A further states "The Town Board shall make appropriate revisions of the boundaries of the wards so that they shall contain a substantially equal number of inhabitants not later than six months after the publication of the results of a regular federal census which indicates that the districts do not contain a substantially equal number of inhabitants."

On January 20, 2022, the Town Board passed Resolution No. 22-2022 to amend section 15A of the Town Code to extend the time allowed to make district boundary revisions by six months. This amendment allows the Town until August 12, 2022, to make the necessary and appropriate changes.

On October 27, 2021 Governor Kathy Hochul signed into law an amendment to "Chapter 36A Municipal Home Rule – Article 4 Powers of Counties and Cities to Adopt Charters – Part 1 The County Charter Law – Section 34 Limitations and restrictions." This legislation reduced the allowable population deviation between districts or wards from a total deviation of ten percent to a total deviation of five percent. This means the difference between the largest and smallest district's population should be no more than five percent. A copy of the law has been attached as "Exhibit A".

The Town Board by Resolution no. 92-2022, duly adopted, at a meeting held of February 17, 2022, established the Non-partisan Temporary Redistricting Commission (the "Commission"). A copy of the resolution is annexed hereto and made a part hereof as "Exhibit B". The Commission was charged with

analyzing the results of the 2020 Federal Census, the existing ward district map and, if necessary, making recommendations to amend the ward district map by developing and presenting amended ward district maps to the Town Board. These proposed maps were to be consistent with the 2020 Federal Census data.

Pursuant to Resolution No. 92 of 2022, the Commission held three public hearings. The public hearings were held on May 9, 2022 at Town Hall, 220 Plandome Road, Manhasset NY 11030, on May 12, 2022 at Clinton G. Martin Park, 1601 Marcus Avenue, New Hyde Park, NY 11042, and on May 17, 2022 at the “Yes We Can” Community center, 141 Garden Street, New Cassel, NY 11590.

Additionally, the resolution requested that “No later than May 30, 2022, the Chair of the Commission shall submit a written report to the Town Board with any recommendations on the reconfiguration of council district lines.”

### ***2020 Federal Census Data***

The 2020 federal census data demonstrates that the six existing council ward districts do not contain substantially equal numbers of inhabitants. A copy of the census data compiled by the Town’s professional consultant, CityGate GIS, is annexed hereto and made a part hereof as “Exhibit C”. The results of the 2020 census show the Town’s total adjusted population to be 237,758. The ideal population for each district, or ward, is therefore 39,626 (*i.e.* 237,758 divided by six). A total deviation of 5.55 percent exists among the districts, with four districts, District one, District two, District three and District six, each having a deviation greater than 2.5-percent (*i.e.* a -4.4-percent deviation in District One, -4.1-percent deviation in District Two, +3.3-percent deviation in District Three and a +4.7-percent deviation of in District Six). As a result, the existing district boundary lines must be altered to correct the deviation, and to balance each district population so that all six districts are substantially equal.

<b>District</b>	<b>2010 Federal Census Population</b>	<b>2020 Federal Census Population</b>	<b>Percent Increase</b>
District 1	36,739	37,895	3.147%
District 2	37,067	38,000	2.517%
District 3	38,015	40,924	7.652%
District 4	37,368	40,174	7.509%
District 5	37,273	39,288	5.406%
District 6	39,860	41,477	4.057%
<b>Total</b>	<b>226,322</b>	<b>237,758</b>	<b>5.053%</b>

### ***Relevant Redistricting Principles***

Based on Federal, State, local laws, case law, practical methods employed nationwide, and/or prior public comment, the Commission adhered to the following ranked standard redistricting principles in considering potential revisions to the existing district boundaries:

1. Population equality – the overall population deviation (or difference) from the size of the largest to smallest districts cannot exceed 5% overall.
2. Districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or minority groups to participate in the political process or to diminish their ability to elect representatives of their choice. This includes Black, Asian American, Hispanic, Native Americans, and Pacific islanders. When high levels of racially polarized voting is evident, an effective minority district may need to be created.
3. Districts shall consist of contiguous territory, requiring that all parts of the district be connected.
4. Districts shall be in as compact form as is practicable, meaning that if a compact district can be drawn, it must be drawn.
5. Districts cannot be drawn to discourage competition or for the purpose of favoring or disfavoring incumbents or political party candidates.
6. Districts should also consider cores of existing districts, pre-existing political subdivisions (villages), and “communities of interest. (COIs).” COIs are not defined by law, but are generally communities where residents share like-minded socio-economic, racial, ethnic, educational, business, medical or other self-described similarities.
7. Villages that comprise less than 40% of a single district’s population should not be divided.

### **Public Outreach and Comment**

As part of the Commission’s outreach, the Town created a Redistricting Commission webpage on the Town of North Hempstead’s website at [www.northhempsteadny.gov/redistricting](http://www.northhempsteadny.gov/redistricting) for residents to visit, submit online comments on the current map, view proposed plans, once submitted by the Commission, and learn more about the redistricting process.

The Commission held public hearings on May 9, 2022, May 12, 2022 and May 17, 2022, where the public was invited to comment and provided an unrestricted opportunity to make written or online comments on the redistricting process and the current maps.

In addition, the Town issued a press release to all local papers, Newsday, and the local television news outlets and websites, advising of the dates of public meetings and the website where residents could submit public comments online. The Town also published legal notices of all the public hearings meetings in the local newspapers and Newsday and advertised the meetings on social media networks such as Facebook.

### **Relevant Information Pertaining to Existing Council Districts**

Six council districts currently exist. The following general notes apply to the current districts.

#### *District 1*

District No. 1 is a Westbury/New Cassel-based minority influenced seat created pursuant to testimony taken at the districting subcommittee hearing held in 2003 and 2012. Voting age minority population is

21.4-percent Black, 36.8-percent Latino, and 8.4-percent Asian-American. This district also includes Old Westbury and Carle Place. The villages and unincorporated areas contained herein are the most compact method of creating a district with a substantial minority voting age population.

#### *District 2*

District No. 2 is an East Hills, Roslyn Heights, Albertson, East Williston-centered district, located in the central part of the Town. It unites the unincorporated areas of Manhasset Hills, Herricks, Roslyn Heights and Seasingtown in one district.

#### *District 3*

District No. 3 is a southern township border district. The district joins similar socio-economic communities in Mineola, Williston Park and New Hyde Park, and includes most of the Mineola School District and all of the New Hyde Park-Garden City Park School District (No. 5), a component of the Sewanhaka Central High School District. This district is relatively compact.

#### *District 4*

District No. 4 is a Northern Boulevard-based district that includes a majority of North Great Neck, all of unincorporated Manhasset, and parts of Roslyn. This district is one of four that include parts of Northern Boulevard, and its associated transportation issues (Northern Boulevard being one of the acknowledged business centers of the Town). The Village of North Hills and parts of Roslyn (the villages of Roslyn and Roslyn Estates) were both added to the district in 2003 to achieve population equality. The inclusion of unincorporated Manhasset in this district helps distribute the power of unincorporated areas among the districts, as that portion of Great Neck contained within this district consists mostly of incorporated villages.

#### *District 5*

District No. 5 is a western township border district that includes a majority of the North Hempstead-Queens border. The district runs from Saddle Rock, Harbor Hills and Great Neck Estates in the north to North New Hyde Park and Floral Park in the south. Most of the southern part of the Great Neck School District (*i.e.*, Great Neck South High School and Middle School) is in this district. The Great Neck population, inclusive of Lake Success, is too large to incorporate into one district. As a result, the creation of a western border district allows Great Neck to partially influence the election of two members.

#### *District 6*

District No. 6 is a Port Washington-based district where the southern border is determined by village or water boundaries. This district includes most of the Port Washington peninsula, and the entire Port Washington School district.

### **Proposed Revisions to the Existing District Map**

The Committee considered multiple proposals to revise the boundaries of the existing six council district wards to comply with the 2020 census results. Each of the redistricting plan options comply with



as many redistricting principles as possible, with adherence to the equal population requirement. A population summary and a description of the changes are included for each option below:

**Option 1**

Total Population: 237,758

Ideal Population: 39,626

Largest Population: 39,898 – District 5

Smallest Population: 39,334 – District 3

Total Deviation between largest and smallest: 564 – 1.43%

Minority Majority Districts: 2 – District 1 & District 4

Option one incorporates the public comments received in-person and online.

District one does not lose any parts. It adds a small portion of Roslyn Heights in order to meet the population deviation. District one is a minority majority district.

District two loses the Village of East Williston, the un-incorporated areas of Manhasset Hill, parts of un-incorporated areas of Roslyn Heights, and the un-incorporated areas of Herricks. It gains the Village of North Hills and parts of the Village of Mineola.

District three loses parts of the Village of Mineola and parts of the un-incorporated areas of Garden City Park. It gains the Village of East Williston, the parts of the Village of Floral Park which are in the Town of North Hempstead, and parts of North New Hyde Park.

District four has the base of the previous district five. District four loses the Villages of Saddle Rock, Great Neck Estates, the parts of the Village of Floral Park which are in the Town of North Hempstead, parts of un-incorporated areas of North New Hyde Park, the unincorporated areas of Saddle Rock Estates, and Harbor Hills. It gains the unincorporated areas of Manhasset Hills, Herricks, and Garden City Park. The addition of these areas makes district four a minority majority district.

District five has the base of the previous district four. District five loses the Villages of North Hills, Roslyn, and Roslyn Estates. It gains the Villages of Munsey Park, Plandome Manor, Plandome, Plandome Heights, Saddle Rock, Great Neck Estates, the unincorporated areas of Saddle Rock Estates and Harbor Hills.

District six loses the Villages of Plandome Manor, Plandome, Plandome Heights, and Munsey Park. It gains the Villages of Roslyn and Roslyn Estates.

These changes are made to follow public comments submitted in-person and online. They create a new Asian minority majority council district (district 4), incorporate the Herricks school district in two council districts instead of four, and separate Great Neck North and Great Neck South school zones. They also place the communities of interest in the Manhasset area in the same council district.

The following of Village borders has created multiple districts which have unsmooth edges. The Village of the Mineola, whose population is over 40% of an ideal council district population, is the only Village which is separated between two districts.

**Option 2**

Total Population: 237,758

Ideal Population: 39,626

Largest Population: 40,088 – District 3

Smallest Population: 39,186 – District 1

Total Deviation between largest and smallest: 902 – 2.28%

Minority Majority Districts: 2 – District 1 & District 4

Option two incorporates the public comments received in-person and online.

District one does not lose any parts. It adds a small portion of the Village of Mineola in order to meet the population deviation. District one is a minority majority district.

District two loses the Village of East Williston, the un-incorporated areas of Manhasset Hill, and parts the un-incorporated areas of Herricks. It gains parts of the Village of Mineola.

District three loses parts of the Village of Mineola and parts of the un-incorporated areas of Garden City Park. It gains the Village of East Williston, the parts of Village of Floral Park which are in the Town of North Hempstead, and parts of North New Hyde Park.

District four has the base of the previous district five. District four loses the Villages of Saddle Rock, Great Neck Estates, the parts of the Village of Floral Park which are in the Town of North Hempstead, parts of un-incorporated areas of North New Hyde Park, the unincorporated areas of Saddle Rock Estates, and Harbor Hills. It gains the Village of North Hill, the unincorporated areas of Manhasset Hills, part of the unincorporated areas of Herricks, and Garden City Park. The addition of these areas makes district four a minority majority district.

District five has the base of the previous district four. District five loses the Villages of North Hills, Roslyn, and Roslyn Estates. It gains the Villages of Munsey Park, Plandome Manor, Plandome, Plandome Heights, Saddle Rock, Great Neck Estates, the unincorporated areas of Saddle Rock Estates and Harbor Hills.

District six loses the Villages of Plandome Manor, Plandome, Plandome Heights, and Munsey Park. It gains the Villages of Roslyn and Roslyn Estates.

These changes are made to follow public comments submitted in-person and online. They create a new Asian minority majority council district (district 4), incorporate the Herricks school district in two council districts instead of four, and separate Great Neck North and Great Neck South school zones. They also place the communities of interest in the Manhasset area in the same council district.

The following of Village borders has created multiple districts which have unsmooth edges. The Village of the Mineola, whose population is over 40% of an ideal council district population, is the only Village which is separated between three districts.

**Option 3**

Total Population: 237,758

Ideal Population: 39,626

Largest Population: 40,603 – District 4

Smallest Population: 38,668 – District 6

Total Deviation between largest and smallest: 1,935 – 4.88%

Minority Majority Districts: 1 – District 1

Option three makes minor changes to the current ward districts but does not incorporate the public comments received in-person and online. It does incorporate Commission member comments.

District one does not lose any parts. It adds a small portion of the Village of Mineola in order to meet the population deviation. District one is a minority majority district.

District two loses a part of the un-incorporated area of Garden City Park. It gains the Village of Roslyn.

District three loses a small part of the Village of Mineola. It does not gain any areas.

District four has the base of the previous district five. District four does not lose any areas. It gains a small portion of the unincorporated area of Garden City Park.

District five has the base of the previous district four. District five loses the Village of Roslyn. It gains the Village of Munsey Park.

District six loses the Village of Munsey Park. It does not gain any area.

These changes are made to follow least change principles. Unfortunately, this option does not allow for the incorporation of the public comments submitted in-person and online. There is no Asian minority majority council district, the Herricks School district is split into four council districts, and Great Neck North and Great Neck South school zones are not separated.

The following of Village borders has created multiple districts which have unsmooth edges. The Village of the Mineola, whose population is over 40% of an ideal council district population, is the only Village which is separated between two districts.

**Option 9**

Total Population: 237,758

Ideal Population: 39,626

Largest Population: 40,450 – District 4

Smallest Population: 38,668 – District 6

Total Deviation between largest and smallest: 1,782 – 4.5%

Minority Majority Districts: 1 – District 1

Option nine makes multiple changes to the current ward districts but does not incorporate all of the public comments received in-person and online.

District one does not lose any parts. It adds a small portion of the unincorporated area of Roslyn Heights in order to meet the population deviation. District one is a minority majority district.

District two loses parts of the un-incorporated areas of Garden City Park, Manhasset Hills, and Herricks. It gains the Village of Williston Park and Village of Roslyn.

District three loses the Village of Williston Park. It gains part of the unincorporated areas of Garden City Park, North New Hyde Park, and the parts of the Village of Floral Park which are in the Town of North Hempstead.

District four has the base of the previous district five. District four loses the Villages of Saddle Rock, Great Neck Estates, the parts of the Village of Floral Park which are in the Town of North Hempstead, parts of un-incorporated areas of North New Hyde Park, the unincorporated areas of Saddle Rock Estates, and Harbor Hills. It gains the Village of North Hills, the unincorporated areas of Manhasset Hills, and Herricks.

District five has the base of the previous district four. District five loses the Villages of North Hills and Roslyn. It gains the Villages of Munsey Park, Saddle Rock, Great Neck Estates, the unincorporated areas of Saddle Rock Estates and Harbor Hills.

District six loses the Village of Munsey Park. It does not gain any area.

This option incorporates some of the public comments submitted in-person and online. There is no Asian minority majority council district, the Herricks School district is split into three council districts. The Great Neck North and Great Neck South school zones are separated.

### **Exhibits**

- A. New York Senate Bill 5160B/A229-C
- B. North Hempstead Town Board Resolutions 92 of 2022
- C. 2020 Federal Census Data of the current Council Districts
- D. Demographic Breakdown of current districts and recommended options
- E. Color Images of the proposed maps

## **Exhibit A**

**A229-C** Paulin Same as **S 5160-B** SKOUFIS

## Municipal Home Rule Law

TITLE....Provides no county shall supersede any state law which relates to the division of any county into districts for the purpose of apportionment

**This bill is not active in the current session.**

01/06/21 referred to local governments  
02/03/21 amend and recommit to local governments  
02/03/21 print number 229a  
05/21/21 amend and recommit to local governments  
05/21/21 print number 229b  
05/25/21 reported referred to rules  
05/26/21 amend and recommit to rules 229c  
06/02/21 reported  
06/02/21 rules report cal.281  
06/02/21 ordered to third reading rules cal.281  
06/08/21 passed assembly  
06/08/21 delivered to senate  
06/08/21 REFERRED TO RULES  
06/09/21 SUBSTITUTED FOR S5160B  
06/09/21 3RD READING CAL.1448  
06/09/21 PASSED SENATE  
06/09/21 RETURNED TO ASSEMBLY  
10/22/21 delivered to governor  
10/27/21 signed chap.516

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# STATE OF NEW YORK

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229--C

2021-2022 Regular Sessions

## IN ASSEMBLY

(Prefiled)January 6, 2021

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Introduced by M. of A. PAULIN, HUNTER, JACOBSON -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules

AN ACT to amend the municipal home rule law, in relation to the division of a county into districts for the apportionment of members of its local legislative body

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 4 of section 34 of the municipal home rule law  
2 is renumbered subdivision 5 and a new subdivision 4 is added to read as  
3 follows:

4 4. Notwithstanding any local law to the contrary, any plan of  
5 districting or redistricting adopted pursuant to a county charter or  
6 charter law relating to the division of any county, except a county  
7 wholly contained within a city, into districts for the purpose of the  
8 apportionment or reapportionment of members of its local legislative  
9 body shall be subject to federal and state constitutional requirements  
10 and shall comply with the following standards, which shall have priority  
11 in the order herein set forth, to the extent applicable:

12 a. If such plan of districting or redistricting includes only single-  
13 member districts, such districts shall be as nearly equal in population  
14 as is practicable; the difference in population between the most and  
15 least populous district shall not exceed five percent of the mean popu-  
16 lation of all districts. If such plan of districting or redistricting  
17 includes multi-member districts, the plan shall provide substantially

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD01955-13-1



equal weight for the population of that county in the allocation of representation in the legislative body of that county; and

b. Districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minority groups to participate in the political process or to diminish their ability to elect representatives of their choice; and

c. Districts shall consist of contiguous territory; and

d. Districts shall be as compact in form as practicable; and

e. Districts shall not be drawn to discourage competition or for the purpose of favoring or disfavoring incumbents or other particular candidates or political parties. The maintenance of cores of existing districts, of pre-existing political subdivisions including cities, villages, and towns, and of communities of interest shall also be considered. To the extent practicable, no villages, cities or towns except those having more than forty percent of a full ratio for each district shall be divided; and

f. Districts shall be formed so as to promote the orderly and efficient administration of elections.

§ 2. The opening paragraph and clauses (a.) and (b.) of subparagraph 13 of paragraph a of subdivision 1 of section 10 of the municipal home rule law, the opening paragraph and subclause (i.) of clause (a.) as amended by section 3 of part XX of chapter 57 of the laws of 2010, clauses (a.) and (b.) as added by chapter 834 of the laws of 1969, are amended to read as follows:

The apportionment of its legislative body and, only in connection with such action taken pursuant to this subparagraph, the composition and membership of such body, the terms of office of members thereof, the units of local government or other areas from which representatives are to be chosen and the voting powers of individual members of such legislative body. Except for the equal apportionment requirements in subclause (i.) of clause (a.) and clause (c.) of this subparagraph, which shall apply generally to any local government, the power granted by this subparagraph shall be in addition to and not in substitution for any other power and the provisions of this subparagraph shall apply only to local governments which adopt a plan of ~~[apportionment]~~ districting or redistricting thereunder.

(a.) A plan of ~~[apportionment]~~ districting or redistricting adopted under this subparagraph shall comply with the following standards, which shall have priority in the order herein set forth, to the extent applicable:

~~(i.) [The plan shall provide substantially equal weight for the population of that local government in the allocation of representation in the local legislative body.]~~

~~(ii.) In such plan adopted by a county, no town except a town having more than one hundred and ten per cent of a full ratio for each representative, shall be divided in the formation of representation areas. Adjacent representation areas in the same town or city shall not contain a greater excess in population than five per cent of a full ratio for each representative.~~

~~(iii.) The plan shall provide substantially fair and effective representation for the people of the local government as organized in political parties.~~

~~(iv.) Representation areas shall be of convenient and contiguous territory in as compact form as practicable.]~~ If such plan of districting or redistricting includes only single-member districts, such districts shall be as nearly equal in population as is practicable; the

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1 difference in population between the most and least populous district  
2 shall not exceed five percent of the mean population of all districts.  
3 If such plan of districting or redistricting includes multi-member  
4 districts, the plan shall provide substantially equal weight for the  
5 population of that local government in the allocation of representation  
6 in the local legislative body; and

7 (ii.) Districts shall not be drawn with the intent or result of deny-  
8 ing or abridging the equal opportunity of racial or language minority  
9 groups to participate in the political process or to diminish their  
10 ability to elect representatives of their choice; and

11 (iii.) Districts shall consist of contiguous territory; and

12 (iv.) Districts shall be as compact in form as practicable; and

13 (v.) Districts shall not be drawn to discourage competition or for the  
14 purpose of favoring or disfavoring incumbents or other particular candi-  
15 dates or political parties. The maintenance of cores of existing  
16 districts, of pre-existing political subdivisions including cities,  
17 villages, and towns, and of communities of interest shall also be  
18 considered. To the extent practicable, no villages or cities or towns  
19 except those having more than forty percent of a full ratio for each  
20 district shall be divided; and

21 (vi.) Districts shall be formed so as to promote the orderly and effi-  
22 cient administration of elections.

23 (b.) A plan of [apportionment] districting or redistricting adopted by  
24 a county under this subparagraph may provide that mayors of cities or  
25 villages, supervisors of towns or members of the legislative bodies of  
26 cities, towns, or villages, who reside in the county shall be eligible  
27 to be elected as members of the county legislative body.

28 § 3. This act shall take effect immediately.

**NEW YORK STATE ASSEMBLY**  
**MEMORANDUM IN SUPPORT OF LEGISLATION**  
**submitted in accordance with Assembly Rule III, Sec 1(f)**

**BILL NUMBER:** A229C

**REVISED** 05/26/2021

**SPONSOR:** Paulin

**TITLE OF BILL:**

An act to amend the municipal home rule law, in relation to the division of a county into districts for the apportionment of members of its local legislative body

**PURPOSE OR GENERAL IDEA OF BILL:**

To provide that no county shall supersede any state law which relates to the division of any county into districts for the purposes of apportionment

**SUMMARY OF SPECIFIC PROVISIONS:**

Section one amends section 34 of the municipal home rule law by adding a new subdivision 4 which provides that notwithstanding any local law to the contrary, any plan of districting or redistricting adopted pursuant to a county charter or charter law relating to the division of any county, except a county wholly contained within a city, into districts for the purpose of the apportionment or reapportionment of members of its local legislative body shall be subjected to federal and state constitutional requirements and shall comply with the following standards, which shall have priority in the order herein set forth, to the extent applicable:

- a. If such plan of districting or redistricting includes only single-member districts, such districts shall be as nearly equal in population as is practicable; the difference in population between the most and least populous district shall not exceed five percent of the mean population of all districts. If such plan of districting or redistricting includes multi-member districts, the plan shall provide substantially equal weight for the population of that county in the allocation of representation in the legislative body of that county; and
- b. Districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minority groups to participate in the political process or to diminish their ability to elect representatives of their choice; and
- c. Districts shall consist of contiguous territory; and
- d. Districts shall be as compact in form as practicable; and
- e. Districts shall not be drawn to discourage competition or for the purpose of favoring or disfavoring incumbents or other particular candidates or political parties. The maintenance of cores of existing districts, of preexisting political subdivisions including cities, villages, and towns, and of communities of interest shall also be considered. To the extent practicable, no villages, cities or towns

except those having more than forty percent of a full ratio for each district shall be divided; and

f. Districts shall be formed so as to promote the orderly and efficient administration of elections.

Section two amends subparagraph 13 of paragraph a of subdivision 1 of section 10 of the municipal home rule law to mirror new subdivision 4 of section 34 of the municipal home rule law as described above and to make other conforming changes.

Section three provides the effective date.

#### JUSTIFICATION:

The Municipal Home Rule Law (MHRL) contains specific guidelines for county redistricting. The guidelines include a directive that counties should follow political subdivision lines to the extent applicable during redistricting.

In 1991, a county League of Women Voters challenged their county's legislative redistricting in State Supreme Court on the ground that it ignored the state guidelines. The Court ruled that the county was immune from the directives of MHRL, a finding that was upheld in the Appellate Division. It stated that the county "operates under a charter form of government and its reapportionment plans are adopted pursuant to its charter, not Municipal Home Rule Law Sec 10(1) (a) (13)(a)." Accordingly, charter counties are not legally required to follow the State redistricting standards set forth in MHRL. The State should extend the reach of the MHRL guidelines on redistricting to cover charter counties so that statutory provisions for electoral procedures would be uniformly applied in New York State.

In the years since this bill was originally introduced in 2002, the consensus on which standards should govern redistricting has evolved. This bill updates the provisions of MHRL Sec 10(1)(a) (13) (a) and applies those provisions to charter counties by adding identical provisions to Section 34 of MHRL, which covers charter counties. Several of the standards included in this bill were part of the 2014 amendment to the New York State Constitution, which applied redistricting standards to the drawing of congressional and state legislative districts. By adding these standards to MHRL, they would also apply to the drawing of county legislative districts. The changes set forth in this bill will extend generally accepted standards for representation to all the people of New York.

#### LEGISLATIVE HISTORY:

A.426b reported to rules in 2019 and advanced to third reading cal.399 in 2020 / Same as S.4611a, advanced to third reading and committed to rules in 2019 and referred to local government in 2020.

A.446 of 2017 and 2018, referred to local governments.

A.1408 of 2015 and 2016, referred to local governments.

A.501 of 2013 and 2014, referred to local governments.

A.142 of 2011 and 2012, referred to local governments.

A.782 of 2009 and 2010, referred to local governments.

A.1017 of 2007 and 2008, referred to local governments.

A.1773 of 2005 and 2006, referred to local governments.

A.5008 of 2003 and 2004, recommitted to local governments.

A.10698 of 2002, referred to local governments.

**FISCAL IMPLICATIONS:**

None.

**EFFECTIVE DATE:**

Immediately.

## **Exhibit B**

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**Councilperson Lurvey offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

**RESOLUTION NO. 92 - 2022**

**A RESOLUTION ESTABLISHING THE TOWN OF NORTH HEMPSTEAD NONPARTISAN TEMPORARY REDISTRICTING COMMISSION AND APPOINTING ITS MEMBERS.**

**WHEREAS**, the Town Board previously adopted a ward district map by resolution, duly adopted, pursuant to Section 15A-1 of the Town Code; and

**WHEREAS**, the Town Board is empowered pursuant to Section 51 of the New York State Town Law to establish non-compensated advisory commissions and committees; and

**WHEREAS**, the Town Board (the "Board") wishes to create a nonpartisan temporary redistricting commission to act in an advisory capacity to the Board in resetting the ward district map in a manner consistent with the 2020 census data; and

**WHEREAS**, the Board wishes to create said commission and appoint members.

**NOW THEREFORE, BE IT**

**RESOLVED** that

- (1) there shall be a nonpartisan temporary redistricting commission (the "Commission") established to advise on the reapportionment of the North Hempstead Town council districts as a result of the 2020 federal decennial census. The Commission shall be tasked with analyzing existing district maps as compared to the most recent census data and if necessary, developing and presenting a reconfigured map to the Town Board for approval.
- (2) The Commission shall consist of seven members, who shall serve without compensation, and be appointed as follows: each voting member of the Town Board will nominate for appointment to the Commission one person for a total of seven members. The Commission chairperson will be appointed by the Town Board from the Commission members. The Commission will select a vice chairman and a secretary at their first meeting.
- (3) The members of the Commission shall be Town of North Hempstead residents.
- (4) Members of the Commission shall: (1) not hold or have held a political party leadership position above that of committee person since January 2012; (2) not have served as an elected official at any level of government since January 2012; (3) not be related to current Town elected officials; (4) not be current Town employees, vendors of the Town or a consultant of the Town; (5) not be a registered lobbyist; and (6) not be an employee of any consultant engaged to assist the Commission or otherwise have a conflict of interest.
- (5) The members of the Commission serve at the pleasure of the Town Board.
- (6) In the event of a vacancy by death, resignation or otherwise, a new member shall be appointed by the Town Board member whose nominee vacated the position. The proposed replacement member to the Commission shall be appointed by a letter from a Town Board elected official. The letter shall be filed with the Town Clerk with a copy delivered to the Town Attorney's office. In the event of a vacancy or a new appointment to the Commission, the newly appointed Commission member shall serve the balance of the term remaining from the vacated seat.
- (7) The Commission shall be responsible for analyzing the 2020 census data to determine whether there is a need to reconfigure the council districts and for presenting a reconfigured map to the Town Board. The Commission shall hold at least three redistricting public hearings in different communities throughout North Hempstead. All public hearings and meetings shall be called by the chairperson. The chairperson and/or vice chairperson must be present at all meetings and hearings. All hearings shall be held in public buildings on notice to the public through appropriate media outlets.
- (8) No later than May 30, 2022, the chair of the Commission shall submit a written report to the Town Board with any recommendations on the reconfiguration of council district lines. The report must be approved by four voting members of the Commission. All recommendations from the Commission shall be available for public inspection at the office of the Town Clerk.
- (9) To aid the Commission in carrying out its function, the Town Board may approve, by resolution, contracts with consultants to provide analyzing services and legal advice throughout this process. Agencies and departments of Town government shall be required

to provide assistance to the Commission as requested.

(10) The Commission shall take all action by not less than four affirmative votes of its members. The Commission shall conduct all meetings in accordance with applicable law.

(11) Any plan adopted by the Town Board shall meet all constitutional and statutory requirements.

; and be it further

**RESOLVED** that the Town Board makes the following appointments to the Commission:

Supervisor nominee: Mary Kay Barket  
District #1 nominee: Dana Boylan (Chairperson)  
District #2 nominee: Jill Wasser  
District #3 nominee: Sumeet Datt  
District #4 nominee: Patricia Schneider  
District #5 nominee: David Yaudoon Chiang  
District #6 nominee: Harrison Feuer

; and be it further

**RESOLVED** that any future appointments to the Commission shall be made by letter request from the Town Board member and filed with the Town Clerk with a copy to the Town Attorney's office.

**Dated:** Manhasset, New York

February 17, 2022

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Dalimonte, Councilperson Lurvey, Councilperson Troiano, Councilperson Zuckerman.

Nays: Councilperson Adhami, Councilperson Walsh, Supervisor DeSena.



## **Exhibit C**

[illegible]

DISTRICT	Total		Total			Total			Total					Total
	All Persons	White Alone	Black Alone	% Black	Hispanic	% Hispanic	% Minority	Amer Indian	Asian	Non Hisp Other	One Race	Non White	Haw-Pac	
1	37,895	12,960	8,093	21.4%	13,941	36.8%	65.80%	325	3,203	23,954	33,308	24,935	11	24,935
2	38,000	20,663	651	1.7%	2,482	6.5%	45.62%	68	13,519	35,518	35,987	17,337	4	17,337
3	40,924	23,075	946	2.3%	6,473	15.8%	43.61%	109	9,915	34,451	37,175	17,849	10	17,849
4	40,174	26,746	1,041	2.6%	3,168	7.9%	33.42%	74	8,188	37,006	37,472	13,428	33	13,428
5	39,288	20,127	417	1.1%	2,836	7.2%	48.77%	126	15,194	36,452	37,154	19,161	8	19,161
6	41,477	29,444	607	1.5%	6,226	15.0%	29.01%	273	4,866	35,251	38,147	12,033	11	12,033

DISTRICT	Voting Age Persons											
	VA Persons	VA White	VA Black	VA Hispanic	VA Non Hisp	VA Non Hisp White	VA Asian	VA Non Hisp Other	VA NATIVE AM	VA HAW-PAC	VA Minority	VA one Race
1	29,607	10,771	6,550	9,751	19,856	9,902	2,639	135	31	8	18,836	26,314
2	29,206	16,641	494	1,721	27,485	16,331	9,958	115	29	4	12,565	27,917
3	33,161	19,707	791	4,793	28,368	19,012	7,580	292	31	8	13,454	30,514
4	31,150	21,206	869	2,398	28,752	20,845	5,966	192	13	20	9,944	29,114
5	31,153	17,063	345	2,163	28,990	16,632	11,213	130	42	5	14,090	29,705
6	31,344	22,745	480	4,458	26,886	22,095	3,642	175	24	5	8,599	29,260

## **Exhibit D**

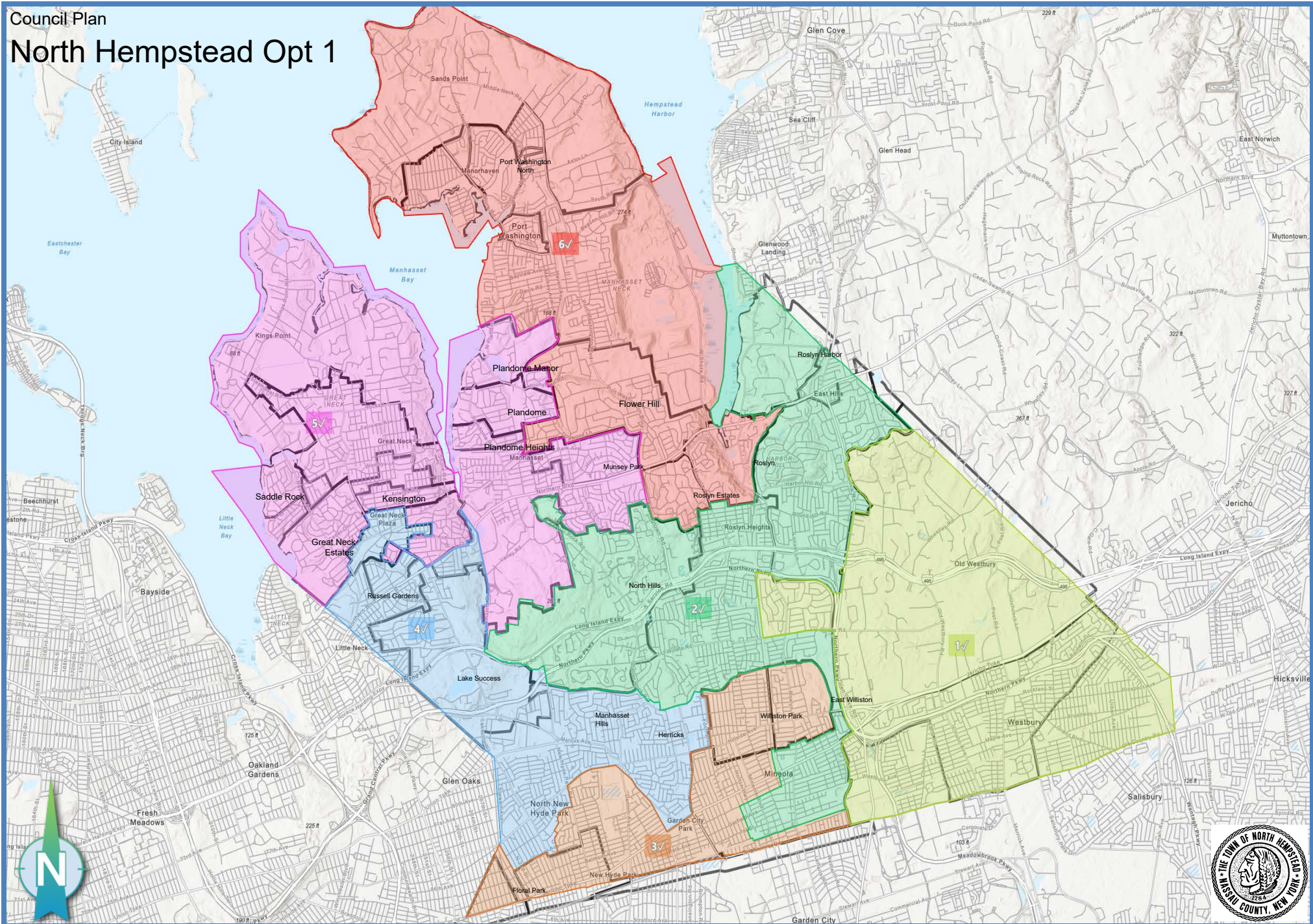




## **Exhibit E**



# Council Plan North Hempstead Opt 1

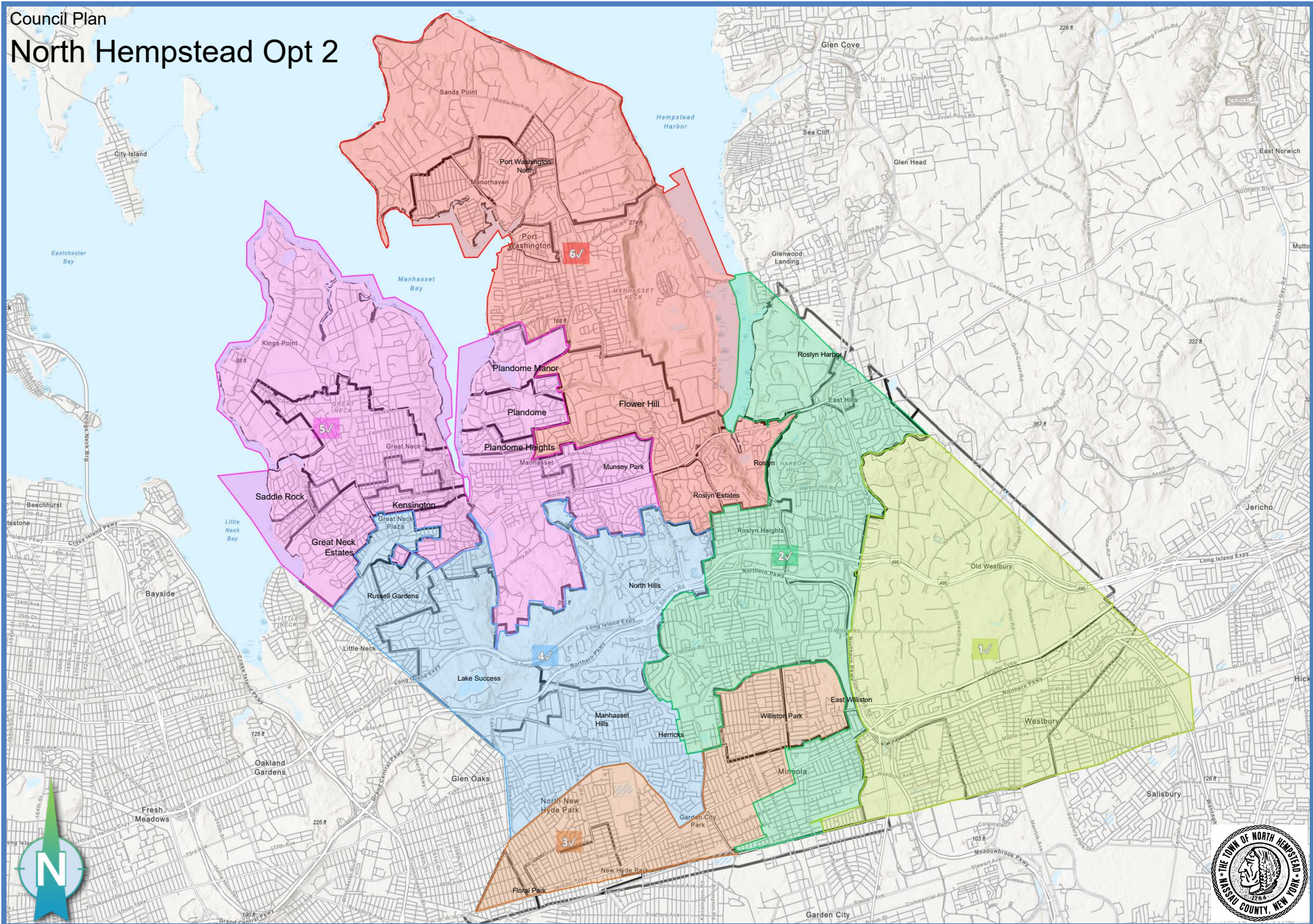


**AutoBound Edge MAP - Based on: 2020 Census Geography, 2020 PL94-171**

Includes Population Adjusted for Incarcerated Individuals by the State of New York Task Force on Demographic Research and Reapportionment



# Council Plan North Hempstead Opt 2

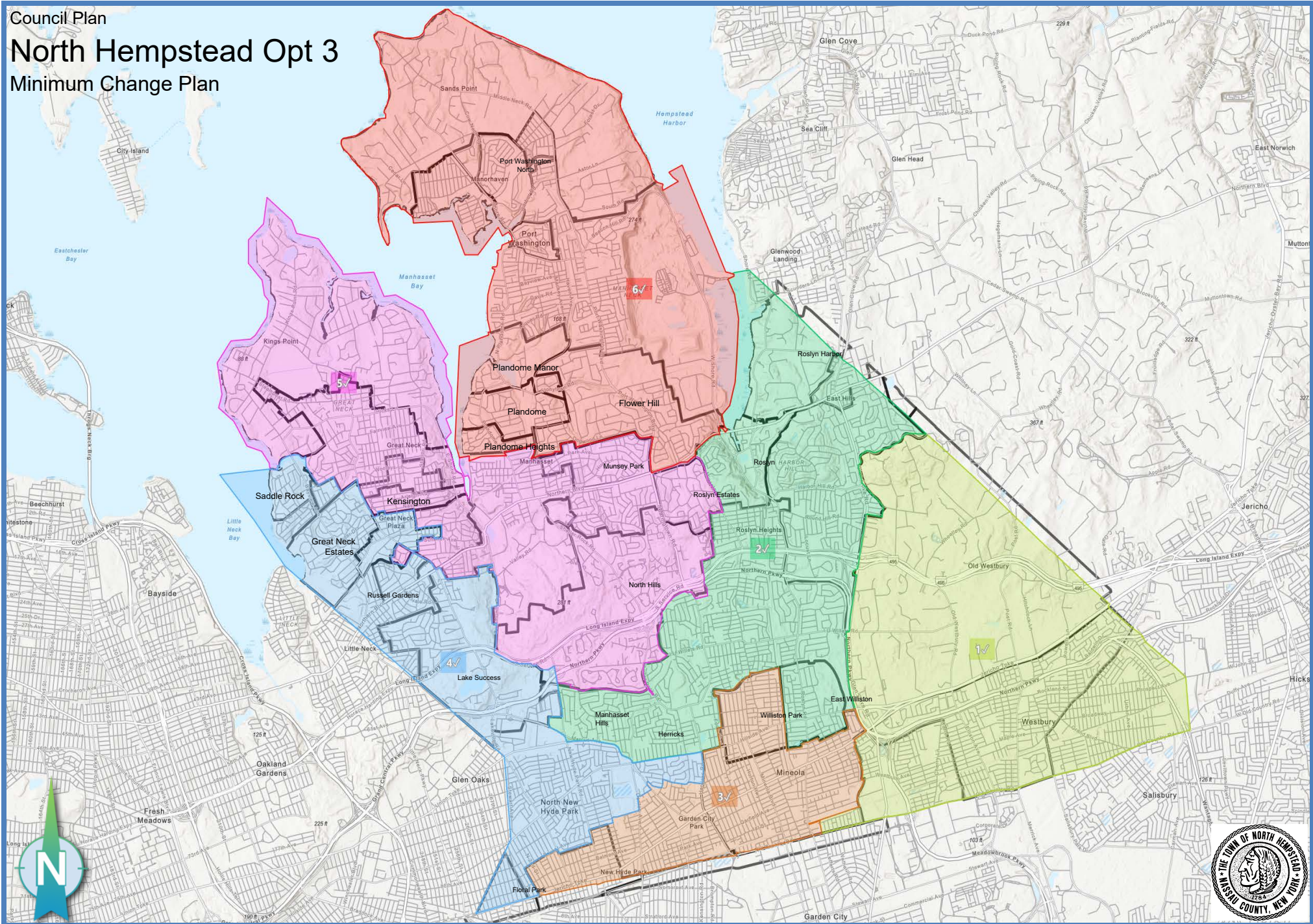


**AutoBound Edge MAP - Based on: 2020 Census Geography, 2020 PL94-171**

Includes Population Adjusted for Incarcerated Individuals by the State of New York Task Force on Demographic Research and Reapportionment



Council Plan  
**North Hempstead Opt 3**  
Minimum Change Plan

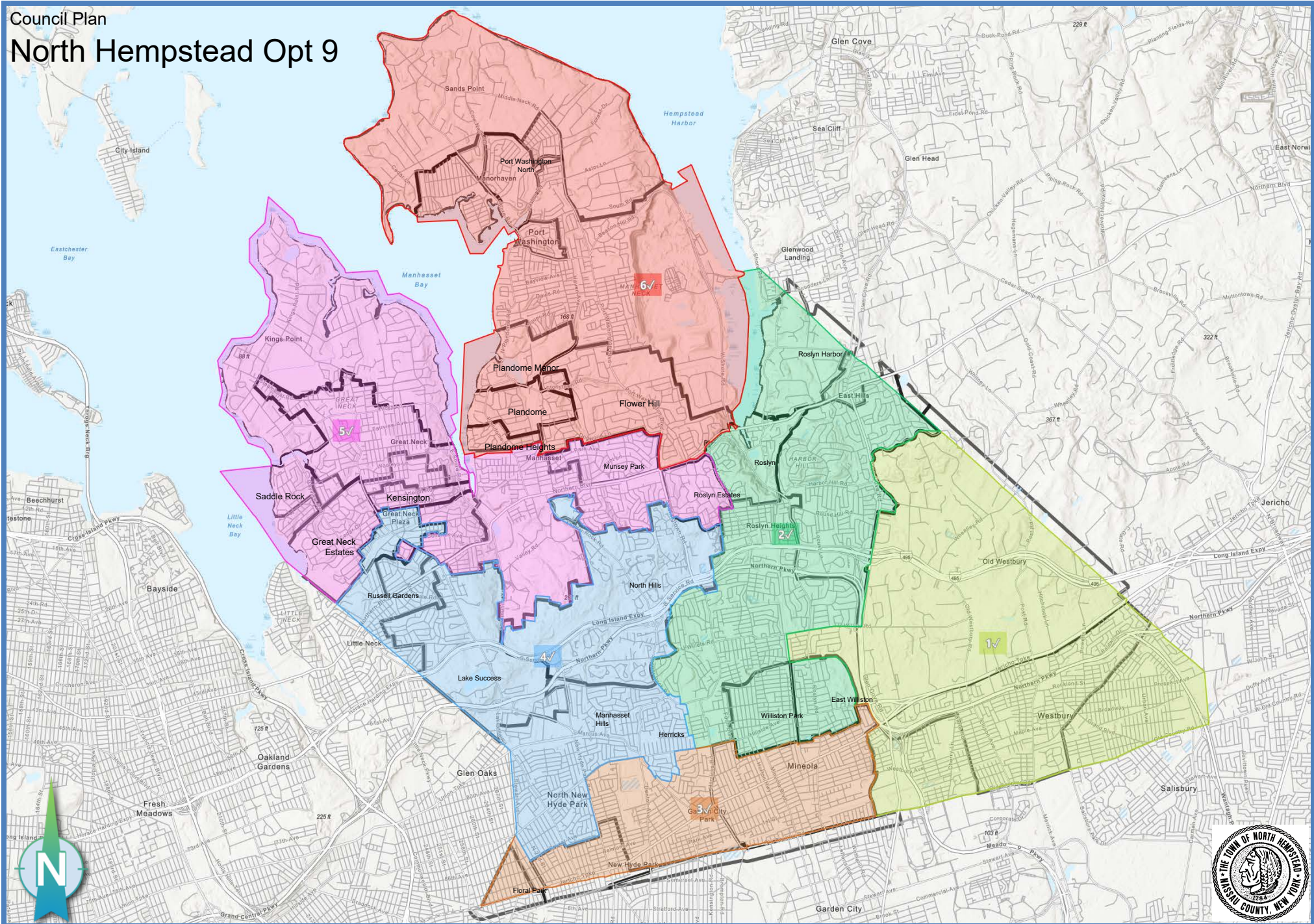


**AutoBound Edge MAP - Based on: 2020 Census Geography, 2020 PL94-171**

Includes Population Adjusted for Incarcerated Individuals by the State of New York Task Force on Demographic Research and Reapportionment



# Council Plan North Hempstead Opt 9



**AutoBound Edge MAP - Based on: 2020 Census Geography, 2020 PL94-171**

Includes Population Adjusted for Incarcerated Individuals by the State of New York Task Force on Demographic Research and Reapportionment